



Department of Corrections  
**ADMINISTRATIVE BULLETIN**

**Subject: FIREARMS DISPOSAL  
PROCEDURE**

**Number:**

**00/02**

**Date Issued:**

**June 28, 2000**

**Canceled Effective:**

The purpose of this Administrative Bulletin (AB) is to reiterate the California Department of Corrections' (CDC) policy regarding the disposal, trade, loan, sale, or destruction of firearms in the possession of the Department.

Only such firearms as are approved by the Director of Corrections for department-wide use, or for use by designated jurisdictions of the CDC shall be issued/assigned to, or carried/used by an employee while on duty. Firearms which are no longer of service shall be stored in a secure location until destroyed or transferred in accordance with this AB.

**Firearms Categories:**

In-Service: Operable weapons assigned to or authorized to be assigned to an armed post, including firearms in need of repair or impounded pending court cases.

Out-of-Service: Firearms in the inventory, but no longer authorized for CDC armed posts.

Inoperable: Those firearms which are beyond economical repair.

Confiscated: Non-CDC firearms held as evidence or abandoned on CDC property.

Assault Weapons: As defined by State law.

**Firearms Transfer Requirements:**

Except as specifically required by law or court order, the CDC shall not sell, trade-in, or transfer any confiscated firearm, and such firearms shall be destroyed upon completion of a related investigation or court case. The sole exception to this requirement applies to those instances when the registered owner of the firearm is located, found innocent of Penal Code Section 4574, and/or Section 12025, or any crime involving the firearm, and the owner is legally authorized to possess the firearm.

The CDC shall not trade-in, sell, or exchange for value any other firearm except as follows:

- Firearms deemed non-serviceable and sent to the manufacturer for warranty service may result in the replacement of the firearm or credit to the Department's account for the purpose of receiving a discount toward the purchase of new weapons. The Emergency Operations Unit (EOU) shall prepare an STD. Form 152, Property Survey Report, and comply with



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State Administrative Manual (SAM) Section 8640 to account for all CDC-owned firearms sent out for warranty service.

- Firearms determined by the Director to be of historical significance may be rendered inoperable and transferred to approved museum locations in accordance with SAM 3520.5.

All firearms defined by State law as assault weapons that are confiscated, inoperable, or out-of-service shall be destroyed.

- The sole exception to this requirement is that assault weapons may be transferred to a law enforcement agency in accordance with this AB.

#### **Transfer of Firearms to a Law Enforcement Agency**

In order to transfer a CDC firearm to another law enforcement agency, a written request by the responsible unit shall be submitted to the Chief Deputy Director, Field Operations via the EOU. This request shall contain detailed information regarding the weapons to be transferred, the reason for the request, the name of the receiving agency and the impact of removing the firearm(s) from the CDC inventory. Compliance with SAM 3520.5 is required prior to the transfer of firearms to a law enforcement agency.

- If the request is approved, a CDC Form 1891, Firearms Transfer Agreement, shall be completed. The transfer shall be initially approved by the institution head as defined in the California Code of Regulations, Section 3000, the affected division's Deputy Director, or designee, and the official designated by the receiving agency for firearms transfer. Final approval authority for the transfer shall be the Director or designee.
- Prior to transfer of the firearm(s), the receiving agency shall provide written assurance that the firearm shall be disposed of in accordance with CDC policy, or returned to the CDC for destruction when necessary.
- All transfer documentation shall be maintained by the EOU and the headquarters Business Services Section until the weapon has been returned or destroyed in accordance with this AB.



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**Loan of Firearms**

The CDC shall not loan any firearms outside the Department except in response to an emergency mutual aid request by another law enforcement agency as approved by the Director, or designee, and the Governor's Office of Emergency Services. The EOU is responsible for the documentation and tracking of all loaned firearms.

**Firearms Inventory**

All CDC units required to possess firearms shall maintain a current inventory in accordance with Department Operations Manual Section 55050.15.1. These units shall submit a completed STD Form 157, Property Inventory Listing-Adjustment and Projection, to the EOU each quarter during the months of January, April, July, and October listing all in-service, out-of-service, inoperable, and confiscated firearms.

No later than the tenth of each month, each unit that maintains firearms shall submit a report to EOU that contains the following:

- Additions, deletions or unchanged firearms inventories.
- Firearms sent out for repair.
  - Date sent for repair.
  - Name and location of repair facility.

Units shall make a written request to the EOU to remove firearms from their inventories. These requests shall be in accordance with this AB and SAM Section 8631.

The EOU shall verify ownership of the firearm, and assess the condition and necessity to dispose of the firearm. Should a firearm require a bid acceptance or baseline value for trade-in purposes, the EOU shall make the determination for acceptance or refusal of submitted bids, or assign a relative value on all such transactions. If approved, the EOU shall request permission from the Chief Deputy Director, Field Operations, to dispose of the firearm.

- The Chief Deputy Director, Field Operations, will determine the disposal method of the firearm pursuant to CDC policy.



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The EOU shall notify the requesting unit of approval to dispose of the firearm.

Firearms determined to be inoperable/non-serviceable or identified for destruction shall be rendered safe, tagged and stored in a location where they will not be issued. The procedure for rendering a firearm safe for transport is as follows:

- Smith & Wesson revolvers - Remove cylinder.
- Remington 870 shotgun and Ruger Mini-14 - Remove trigger assembly.
- Smith & Wesson semi-automatic pistols and Beretta 92F semi-automatic pistol - Remove slide.
- Remington Model 700 rifle - Remove bolt.
- Heckler & Koch 94 carbine - Remove trigger assembly.
- Heckler & Koch MP-5 sub-machine gun - Remove trigger assembly.
- Colt Automatic Rifle (CAR-15) - Remove bolt assembly.

The firearm shall be transported in a safe manner by State vehicle to the Correctional Training Center (CTC) armory for storage pending disposal. Upon receipt of the firearm(s), CTC staff shall review and sign all related documentation.

- Firearms shall be secured at the CTC armory by two separate padlocks which require two staff to access the firearms.

### **Firearms Destruction Procedures**

The EOU representative shall witness and sign all documentation verifying that the firearms(s) have been rendered useless by CTC maintenance and armory staff as follows:

- One firearm at a time shall be selected and the serial number read aloud by CTC armory staff.
- An EOU staff member shall verify and repeat the serial number.



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- The destruction date shall be recorded next to the firearm's serial number on the STD Form 157 and entered on the master inventory.
- The firearms shall be handed to the CTC maintenance staff member for destruction.

The CTC armory staff and EOU staff are to be in the destruction area, observe each firearm being placed on the armorer's working table and witness the destruction procedure. Physical firearms destruction procedures are as follows:

- Completely obliterate the serial number.
- Crush the barrel, action, and bolt or cylinder; or,
- Cut the barrel completely off and cut the action/bolt.

The firearm(s) rendered useless shall be secured in a container for transport to an approved vendor disposal site to ensure that the scrap is further reduced and no parts are usable.

- The scrap metal shall be transported to the vendor where it will be ground or melted. This process shall be witnessed by CTC or EOU staff.
- The EOU shall enter the disposal information into the Department of Justice Firearms Automated System. A record of firearm destruction shall be maintained for five years.

This AB supersedes policy contained in DOM Section 55050.17. Please ensure that all persons concerned are informed of the contents of this AB, which shall remain in effect until incorporated in DOM Volume V. Please direct any inquiries regarding this AB to Marty Jones, Chief, Emergency Operations Unit, at (916) 324-8995, or CALNET 454-8995.

C. A. TERHUNE  
Director  
Department of Corrections